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Attorneys for Defendant
COGENT COMMUNICATIONS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOAN AMBROSIA, JANE LACAP,)	Case No. 3:14-cv-02182-RS
KEITH SWICK, BILL CHAN, COSMIN)	
BANU, SHAHID RAHMATULLAH,)	<i>Assigned to:</i>
DANA ROGERS, TONY TRINH,)	<i>Hon. Richard Seeborg</i>
CHRISTIAN HALLORAN, NOVELETT)	
WITT, ART BAIMKIN, ANGELITO)	STIPULATION TO REVISE
MUYOT JR., JASON RUIS, KESHAV)	SCHEDULING ORDER FOR FLSA
LILBURN KAMATH, PEET SAPSIN, and)	COLLECTIVE ACTION AND RULE 23
ALICIA ERBY)	CLASS ACTION CERTIFICATION
)	MOTIONS; PROPOSED ORDER
Plaintiffs,)	
)	
vs.)	Complaint Filed: May 12, 2014
)	
COGENT COMMUNICATIONS, INC.,)	
)	
Defendant.)	
)	
)	

1 This stipulation is entered into by and between Plaintiffs Joan Ambrosio, et al.
2 (“Plaintiffs”) and Defendant Cogent Communications, Inc. (“Defendant”) (collectively, the
3 “Parties”) through their counsel of record as follows:

4 **WHEREAS**, following the Rule 16(b) Case Management Conference, on October 9,
5 2014, this Court set forth the following briefing schedule for Plaintiffs’ intended FLSA collective
6 action and Rule 23 class action certification motions (Dkt. 30):

- 7 • May 29, 2015. Deadline for Plaintiffs to file their motion for Rule 23 class
8 certification and FLSA collective action certification;
- 9 • June 12, 2015. Deadline for Defendant to file its opposition to Rule 23 class
10 certification and FLSA collective action certification;
- 11 • June 19, 2015. Deadline for Plaintiffs to file their reply, if any, to Defendant’s
12 opposition;
- 13 • June 26, 2015. Hearing on Plaintiffs’ motion for class certification and FLSA
14 collective action certification.

15 **WHEREAS**, at the Rule 16(b) Case Management Conference, this Court advised that the
16 Parties could agree to a different briefing schedule than that set forth by the Court’s October 9,
17 2014 Order.

18 **WHEREAS**, in order for the Parties to adequately brief the issue of collective action and
19 class action certification, the Parties hereby request an order to extend the time between
20 Plaintiffs’ deadline to file their moving briefs and Defendant’s deadline to file its opposition
21 briefs and between Defendant’s deadline to file its opposition briefs and Plaintiffs’ deadline to
22 file their reply briefs, if any.

23 **WHEREAS**, the Parties have not previously requested any time modifications regarding
24 the scheduling of Plaintiffs’ intended certification motions.

25 **WHEREAS**, neither Party will suffer any prejudice should the Court extend the time for
26 Defendant to file its opposition briefs and Plaintiffs to file their reply briefs, if any.

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1 **NOW, THEREFORE**, pursuant to Local Civil Rules 6-1, 6-2, and 7-12, the Parties
2 hereby stipulate to the following briefing schedule for Plaintiffs' intended FLSA collective
3 action certification motion and Rule 23 class action certification motion:

- 4 • June 5, 2015. Deadline for Plaintiffs to file their motion for Rule 23 class
5 certification and their motion for FLSA collective action certification;
- 6 • July 10, 2015. Deadline for Defendant to file its opposition to Plaintiffs' Rule 23
7 class certification and FLSA collective action certification motions;
- 8 • August 7, 2015. Deadline for Plaintiffs to file a reply, if any, to Defendant's
9 oppositions;
- 10 • August 20, 2015. Hearing on Plaintiffs' motion for Rule 23 class certification and
11 motion for FLSA collective action certification.

12
13 **IT IS SO STIPULATED.**

14
15 Date: December 31, 2014

DUCKWORTH PETERS LEBOWITZ OLIVIER LLP
SHELLIST | LAZARZ | SLOBIN LLP

17 By: /s/ Monique Olivier

18 Monique Olivier
19 Attorneys for Plaintiffs

20 Date: December 31, 2014

HAYNES AND BOONE, LLP

22 By: /s/ Tamara I. Devitt

23 Tamara I. Devitt
24 Attorneys for Defendant
25 COGENT COMMUNICATIONS, INC.

ORDER

The Parties having so stipulated and good cause appearing,

IT IS HEREBY ORDERED that:

a. On or before June 5, 2015, Plaintiffs will file their motion for Rule 23 class certification and motion for FLSA collective action certification;

b. On or before July 10, 2015, Defendant will file its opposition to Plaintiffs' motions for Rule 23 class certification and FLSA collective action certification;

c. On or before August 7, 2015, Plaintiffs will file a reply, if any, to Defendant's oppositions; and

d. Plaintiff's motion for Rule 23 class certification and motion for FLSA collective action certification shall be heard on August 20, 2015, at 1:30 p.m. in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California 94102.

IT IS SO ORDERED.

Dated: 1/2/15



Richard Seeborg
United States District Court Judge